



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Project Number: 3009939
Applicant: Brittani Ard for Damon Lock
Address of Proposal: 1507 17th Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow one, three-story (1,537 square foot), single family residence and one, three-story (2,900 square foot), 2-unit townhouse structure in an Environmentally Critical Areas (ECA). Parking for three vehicles will be provided on site. Project includes demolition of an existing single family residence.

The following approval is required:

SEPA – Environmental Determination - (SMC Chapter 25.05).

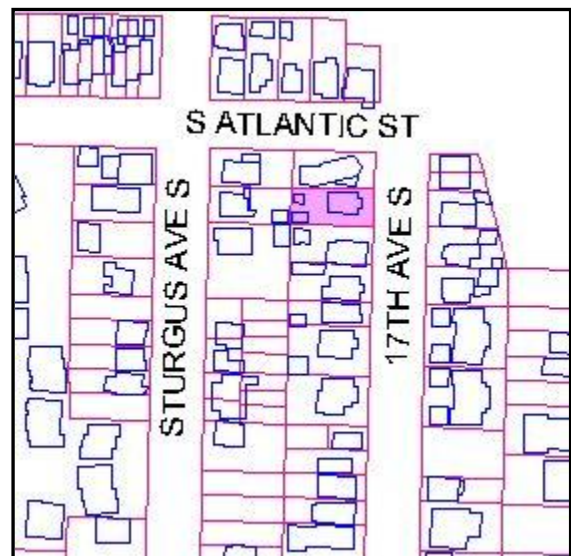
SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS
☒ DNS with conditions
☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

**Early Notice DNS published February 26, 2009.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located between South Atlantic Street to the north and South Massachusetts Street to the south, on the west side of 17th Avenue South in the Rainier Valley neighborhood. The site comprises a land area of approximately 4,500 square feet in a Multifamily Lowrise 2 (L-2) zone. The maximum density requirement for the zone is 1,200 square feet



of lot area per dwelling unit. The site is rectangular in shape with a moderate elevation change sloping downward from west to east, approximately 10 feet over a distance of 100 feet. The subject site is robustly landscaped with large shrubs and small trees clustered around the site's perimeter. The single family structure and detached garage accessory structure sits approximately 5 feet above sidewalk grade. The abutting right-of-way, 17th Avenue South, is improved with an asphalt roadway, sidewalks, curbs and gutters.

The subject site is located in an expansive Multifamily Lowrise 2 (L-2) zone where single family styled structures dominate the immediate vicinity. A mixture of turn of the century and post World War II homes are found in abundance in this particular area. The abutting sites to the south and north contain modest 1-story single family residential structures set within robust landscaped yards. Single family residences dominate the multifamily zones in and around the subject site. Zoning in the surrounding area includes Multifamily Lowrise 1 (L-1) to the south of Massachusetts Street. Rainier Avenue South, a primary arterial, is located to the east a distance of over 1,000 feet which is the principal transportation corridor to the development site.

Proposal Description

A total of three dwelling units are proposed to be constructed on a lot designated Environmentally Critical Areas (New Potential Slide). The applicant proposes to construct one three-story single family structure with attached parking adjacent to the 17th Avenue, and one three-story 2-unit townhouse structure with surface parking. The second structure is proposed to be located directly behind the first structure. Vehicular access to the units will be available through a shared driveway along the south property line. The Project includes demolition of one existing single family dwelling unit, accessory structure, and concrete pad located in the rear setback. The site will be re-graded to accommodate new development, which includes excavation of approximately 380 cubic yards of material. Future development activity at the subject site may include the creation of three unit lots (Unit Lot Subdivision).

Public Comments

Date of Notice of Application: February 26, 2009

Date End of Comment Period: March 11, 2009

Letters 0

Issues: No letters were received by DPD, during the public comment period that ended on March 11, 2009, and through to the time of decision.

ANALYSIS - SEPA

The development site is located in a new potential slide critical area, thus the application is not exempt from SEPA review. However, SMC 25.05.908 provides that the scope of environmental review of projects within critical areas shall be limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) evaluating potentially significant impacts on the critical area resources not adequately

addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential environmental impacts on this project was made in the threshold determination and environmental checklist prepared by Brittani Ard on February 5, 2009. The information in the checklist, the supplemental information submitted by the application, field inspection, public comments and the experience of the lead agency with similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, that "Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" subject to some limitations. Under such limitations/circumstances (SMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulate from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction equipment and personnel; conflict with normal pedestrian movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The ECA ordinance and DPD Director's Rules (DR) 3-93 and 3-94 regulate development and construction techniques in designated ECA areas with identified geologic hazards. The Street Use Ordinance requires debris to be removed from the street right of way, and regulates obstruction of the pedestrian

right-of-way. Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures and life safety issues. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city. Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment and no further conditioning pursuant to SEPA policies is warranted.

Due to the fact that grading will be undertaken during construction, additional analysis of earth and grading impacts is warranted.

Earth/Soils

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with geologic hazard areas and/or a history of unstable soil conditions. Thus, ECA review is required because the site has soil conditions that need further scrutiny to properly evaluate subsurface, water conditions, and bearing strength capability. The construction plans, including shoring of excavations as needed, and erosion control techniques will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) will be required prior to issuance of building permits. Applicable codes and ordinance provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used.

According to the geotechnical report prepared by PanGeo, Inc., submitted with application materials, the soil conditions at the development site contains medium-dense sand and stiff to very stiff silt and clay soil at a depth of approximately 5 feet below existing grade. In order to reduce the potential for disturbance and softening of the footing subgrades a number of recommendation where outlined. The report recommends that to mitigate these risks all earthwork operations should be conducted within strict adherence of a design criterions found within the submitted report or other geotechnical engineering study.

Otherwise, any other potential short-term, construction related impacts anticipated from future construction will be addressed by adopted City regulations regarding grading, erosion control and noise. Therefore, no further conditioning for grading and earthwork activities is warranted pursuant to SEPA policies.

Traffic

Existing City code (SMC 11.62) requires truck activities to use arterial streets to every extent possible. The proposal site is near several major arterials and traffic impacts resulting from the truck traffic associated with the hauling of debris will be of short duration and mitigated by enforcement of SMC 11.62.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks, which minimizes the amount of spilled material and dust from the truck bed enroute to or from a site.

There are no short term impacts identified with the creation of unit lot subdivisions. Short term impacts are associated with the construction of the structures and have been analyzed and discussed with no further conditioning is warranted.

Long-term Impacts

Long-term or use-related impacts are also anticipated from the proposal: operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide; increased surface water runoff from greater site coverage by impervious surfaces; increased bulk and scale on the site; increased demand on public services and utilities; increased light and glare; loss of vegetation and animal habitat; and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the ECA Ordinance, the Stormwater, Grading and Drainage Control Code which requires provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding. The City Energy Code will require insulation for outside walls and energy efficient windows. The Land Use Code controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Potential long-term impacts that may occur on the identified environmentally critical area as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces. This long-term impact is not considered significant because the impacts are minor in scope.

There have been no long term impacts identified with the possible creation of a unit lot subdivision. Long term impacts have been analyzed and discussed above with no further conditioning warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decision pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.303(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.303(2)(C).

CONDITIONS - SEPA

Prior to Issuance of any Permit to Grade or Construct

The owner(s) and/or responsible party(s) shall:

1. All recommendations from the geotechnical report regarding mitigation of erosion and potential landslide shall be followed, in addition to compliance with the provisions of the Development Standards for Potential landslide set forth in the Regulations for Environmentally Critical Areas (SMC 25.09.060 and 80) outlined in the analysis above.

Signature: _____ (signature on file) Date: November 16, 2009
Bradley Wilburn, Land Use Planner
Department of Planning and Development
Land Use Services

BW:bg

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